

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

CLARENCE TAYLOR,

Plaintiff,

v.

POTOSI CORRECTIONAL CENTER,

Defendant.

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No. 4:20-cv-1300-NAB

**MEMORANDUM AND ORDER**

This matter is before the Court upon review of the file. Plaintiff Clarence Taylor, a prisoner, initiated this case on September 22, 2020 by filing a prisoner civil rights complaint pursuant to 42 U.S.C. § 1983 against the Potosi Correctional Center (“PCC”). He filed the complaint on behalf of himself and other inmates. He represented to the Court that he intended to pay the civil filing fee, which at the time was \$400, and on October 23, 2020, he paid \$350 towards such fee. The Court reviewed the complaint and determined it was subject to dismissal, and on February 2, 2021, entered an order directing plaintiff to file an amended complaint to cure the defects. In that order, the Court explained why the complaint was subject to dismissal, and gave plaintiff clear instructions regarding how to prepare the amended complaint. The Court cautioned plaintiff that his failure to timely comply with the order would result in the dismissal of his case without further notice. The Court also directed plaintiff to pay the \$50 filing fee balance. Plaintiff’s response to the Court was due on March 4, 2021.

To date, plaintiff has neither filed an amended complaint, nor sought additional time to do so. Additionally, he has neither paid the \$50 filing fee balance, nor sought leave to proceed *in forma pauperis*. Plaintiff was given meaningful notice of what was expected, cautioned that his

case would be dismissed if he failed to timely comply, and given significant additional time to comply. Therefore, this action will be dismissed at this time, without prejudice, due to plaintiff's failure to prosecute his case and his failure to comply with this Court's February 2, 2021 order. *See* Fed. R. Civ. P. 41(b); *see also Brown v. Frey*, 806 F.2d 801, 803-04 (8th Cir. 1986) (a district court has the power to dismiss an action for the plaintiff's failure to comply with any court order); *Dudley v. Miles*, 597 F. App'x 392 (8th Cir. 2015) (per curiam) (affirming dismissal without prejudice where *pro se* plaintiff failed to file an amended complaint despite being cautioned that dismissal could result from failure to do so).

Accordingly,

**IT IS HEREBY ORDERED** that this action is **DISMISSED** without prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. A separate order of dismissal will be entered herewith.

Dated this 22nd day of March, 2021.

/s/ Jean C. Hamilton  
JEAN C. HAMILTON  
UNITED STATES DISTRICT JUDGE